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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA, ex rel.  
DAVID MORGAN,

Plaintiff,

v.

EXPRESS SCRIPTS, INC., et al.,

Defendants.

**Civil Action No. 05-01714 (DMC)(JAD)**

**Return Date: May 20, 2013**

**CERTIFICATION  
OF SERVICE**

**ORAL ARGUMENT REQUESTED**

**Document Electronically filed**

KEVIN H. MARINO, of full age, hereby certifies and states:

1. I am an attorney at law of the State of New Jersey and a member of the law firm of Marino, Tortorella & Boyle, P.C., attorneys (with Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.) for Defendant CVS Caremark Corporation (“Caremark”) in this matter.

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\* *Pro hac vice* applications to be submitted to the Court.

2. On this date, I caused to be filed with the Clerk of the Court and to be served on all counsel of record via the Electronic Filing System the following documents: (1) Defendant CVS Caremark Corporation's Notice of Motion to Dismiss Third Amended Complaint with Prejudice Pursuant to Rules 12(b)(6) and 9(b); (2) a Memorandum of Law in support of the Motion; (3) a Proposed Order; and (4) this Certification of Service.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 16, 2013

/s/ Kevin H. Marino  
KEVIN H. MARINO